

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: : CASE NO. 5-20-00462
JAMES JOHN KUBASKO :
Debtor : CHAPTER 13

DEBTOR'S ANSWER TO MOTION TO DISMISS CASE

AND NOW COMES, James John Kubasko, the Debtor, and files an Answer to the Motion to Dismiss for failure of Debtor to appear at previously scheduled 341 meeting of creditors:

1. The Court scheduled the following 341 Meeting of Creditors: March 09, 2020, April 06, 2020, June 08, 2020, July 13, 2020, December 12, 2020, February 08, 2021 and March 22, 2021.

2. The 341 meetings of creditors were rescheduled due to the fact that the Debtor had a temporary guardian. All parties were unsure who was the correct person to testify at the 341 Meeting of Creditors.

3. Attorney O'Brien, who represents Advocacy Alliance has advised that there is a hearing scheduled on May 4, 2021 to determine whether a permanent guardian is needed. Attorney O'Brien was told that medical reports suggest that Mr. Kubasko may be able to take care of himself.

4. Debtor requests the rescheduling of the 341 meeting of creditors. In the event, Debtor or a permanent guardian fails to attend the meeting, the Trustee will certify dismissal of the case.

WHEREFORE, the Debtor respectfully requests that the Court deny the Motion to Dismiss for failure of Debtor to appear at the 341 meeting of creditors and requests the 341 meeting of creditors to be rescheduled to allow the Debtor or permanent guardian to attend the 341 meeting of creditors.

Respectfully submitted,

Date: April 13, 2021

/s/Tullio DeLuca
Tullio DeLuca, Esquire
PA ID# 59887
381 N. 9th Avenue
Scranton, PA 18504

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 13, 2021, he caused a true and correct copy of Debtor's Answer to Motion to Dismiss to be served Via First Class United States Mail, Postage Pre-paid or electronically in the above-referenced case, on the following:

Charles J. DeHart, III, Esq. at dehartstaff@ramapo.com

Dated: April 13, 2021

/s/Tullio DeLuca
Tullio DeLuca, Esquire